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PLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/697,703	10/27/2000	Michael G. Taylor	301	4821
2292 7	7590 04/01/2004		EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			BELLO, AGUSTIN	
PO BOX 747 FALLS CHUR	CH, VA 22040-0747		ART UNIT	PAPER NUMBER
THE ESTATE	320.00,		2633	11
			DATE MAILED: 04/01/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Advisory Action	09/697,703	TAYLOR, MICHAEL G.				
, . ,	Examiner	Art Unit				
	Agustin Bello	2633				
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence address				
THE REPLY FILED 08 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.						
PERIOD FOR REPLY [check either a) or b)]						
a) The period for reply expires <u>3</u> months from the mailing date of the final rejection.						
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
2. The proposed amendment(s) will not be entered because:						
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);						
(b) ☐ they raise the issue of new matter (see Note below);						
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) they present additional claims without canceling a corresponding number of finally rejected claims.						
NOTE:						
3. Applicant's reply has overcome the following reject	tion(s):	·				
4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).						
5. ☑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☑ request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet</u> .						
6. The affidavit or exhibit will NOT be considered bec raised by the Examiner in the final rejection.	ause it is not directed SOLELY t	to issues which were newly				
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we						
The status of the claim(s) is (or will be) as follows:						
Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected:						
Claim(s) withdrawn from consideration:						
8. The drawing correction filed on is a) app	roved or b) disapproved by t	he Examiner.				
9. Note the attached Information Disclosure Statemen						
10. Other:						
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Continuation of 5. does NOT place the application in condition for allowance because: the applicant's argument that the output of the polarization controller can not be the output of the polarization mode dispersion compensation apparatus is not persuasive. As seen in the figures the output (D) of the apparatus (Figure 1) is a direct derivative of the signals (S) which are direct derivatives of the output of the polarization controller, thus the output of the apparatus (D) is, given the broadest reasonable interpretation, the output of the polarization controller. Applicant's other arguments have been previously addressed.

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